

REMARKS/ARGUMENTS

Claims 1-12 are pending in this application. Claims 13-20 have been canceled without prejudice. Claims 1, 4, 10 and 11 have been currently amended. Claims 1 and 10 are independent claims. Support for the amendment may be found throughout the specification and drawings.

Election/Restrictions

Group I, Claims 1-12 are elected. Claims 13-20 have been canceled without prejudice.

Double Patenting

Claims 1, 5, 6, 10 and 12 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent Number 6,751,783 to Eneboe et al. Claims 2-4, 7-9 and 11 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent Number 6,751,783 to Eneboe et al in view of U.S. Patent Number 6,026,226.

Enclosed please find a terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome this rejection.

Claim Rejections – 35 USC § 102

Claims 1-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Miller et al. (“Miller”, U.S. Patent Number 6,539,531). Applicants respectfully traverse this rejection.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Further, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Independent Claims 1 and 10, as amended, each recite an element of "at least one of latency, scalability, or isochronous interconnect configuration" (emphasis added). This element is not taught, disclosed or suggested by Miller. It is noted that Claims 1 and 10 each recite "isochronous interconnect configuration" (emphasis added), not just *any* interconnect configuration. Applicants have performed diligent search and was not bale to find the term "isochronous" in Miller. Therefore, the rejection should be withdrawn, and Claims 1 and 10 should be allowed.

Claims 2-9 depend from Claim 1 and are therefore allowable due to their dependence upon Claim 1. Claims 11-12 depend from Claim 10 and are therefore allowable due to their dependence upon Claim 10.

CONCLUSION

In light of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in the case.

Respectfully submitted on behalf of
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By: _____

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